

**FITCHBURG PLANNING BOARD MEETING MINUTES
TUESDAY, JULY 15, 2008**

MEMBERS PRESENT: Paula Caron, Chair
John DiPasquale
Mike DiPietro
Mike Hurley
Paul Fontaine, Jr.
Nancy Maynard
Elizabeth Slattery

PLANNING OFFICE: David Streb
Mike O'Hara

Call to Order

Meeting called to order at 6:00 p.m. in the Veteran's Room, First Floor, City Hall.

Communications

Montachusett Enterprise Center has submitted landscaping plan for First Street site to both the Planning Board and Conservation Commission for review showing plantings in "rain garden". Board reviewed plan.

Building Commissioner letter to wireless carrier provided stating that locating concealed facility in the bell town of Faith United Parish is permitted by right, as allowed by Zoning Ordinance.

Letter from Metro PCS to Building Commission stating that despite the pending appeal of Special Permit for co-location on Wanoosnoc Road monopole, there are going ahead with installation "at risk", under amended of MGL c. 40A, Section 11. If appeal is resolved not in their favor, they will have to remove.

Petition to City Council to designate Flat Rock Road as a "Scenic Road" under MGL c. 40, s.15C will be forwarded to the Planning Board. Item can be discussed at August meeting with notice to property owners on Flat Rock Road.

Angus Jennings of Concord Square Planning & Development (the planning consultant the city is using on the Main & North Street smart growth project) gave the Board an update on the status of the C. 43D, Expedited Permitting project for sites in lagoons in West Fitchburg and the Simonds Saw site off Airport Road. Several Ordinance and regulations changes will be necessary to meet the Expedited Permitting requirement of a decision with 180 days of filing development plans for one of these sites. The proposed changes will be introduced in September.

Meeting Minutes

None.

ANR plans

The Board reviewed and endorsed the following "ANR" plans:

Mass. Ave. Rentals, LLC - 124-126 Pleasant St., Mt. Globe St.

Parcel with frontage front & back to be split into two conforming lots.

Lamb, 239 Ashburnham St.

7,500 sq. feet from adjacent parcel owned by SETA Realty Trust (site of Nagy Spring Mill) to be added to existing parcel at 239 Ashburnham St., then split into two.

Old South Development Trust (Dave Aho), Montesion Drive

A re-subdivision of Lot 8 (vacant) & Lot 9 (44 Montesion Drive) in the "South Street Crossing" - Montesion Drive subdivision. No new lot created.

The Board reviewed the following plan and voted to authorize Dave Streb to sign on their behalf once the standard zoning disclaimer was added to the plan:

Boscardin, 315 Pearl St. & 1 Clark Rd.,

Splitting two existing dwellings on one lot. Both lots will be non-conforming as to lot size and will need variance.

Minor Site Plan Review

1146 Main Street - "This 'n' That", retail sales - consignment

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)

Action: Approved.

Steve Bosworth described his business in former loading area on right hand side of Red Brick River Mill. Approx. 20' x 20' space. He's been in business for over 15 years. Was previously on Main Street near upper common. Hours are sporadic - now and then. Will have nothing for sale outside.

Motion made & seconded to approve site plan with conditions.

- Interior sales only. Any outside display or storage is subject to a further Planning Board review.

Vote 7-0 to approve.

189 Lunenburg St. - Domino's Pizza

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)

Action: Approved.

Don Laing in to describe plan. Has been at existing location 15 Lunenburg Street, near Moran Square, for 24 years. Will have 4 parking spaces at new location -- former Golf store. No parking at present location. 78% of business are deliveries. Hours 11:00 a.m. to 2:00 a.m., but 80% of business is after 5:00 p.m. He has authorization from surrounding property owner to use parking for employees.

Motion made & seconded to approve site plan with conditions:

- Stripe parking spaces in front, including one handicapped parking space.
- Exterior improvements shall be completed within 45 days of occupancy.
- Site shall be neatly kept and clean of debris at all times.

Vote 7-0 to approve.

10 Moran Square - Brouillet. "Keystone Motors" auto sales

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)

Action: Approved.

Christopher Brouillet in. Proposing to open up used car sales. Only service what they sell. Had been used car sales at location before. Also has Class II license application and ZBA application pending.

Motion made & seconded to approve site plan with conditions:

- Stripe area of customer parking
- Paint building
- Install pea stone on gravel area
- Maximum number of display spaces shall be similar to that shown on plan (18)
- Install landscaping in planter boxes in the three-foot setback area along Lunenburg Street. Landscaping to be provided along a minimum of one-half of the linear footage along Lunenburg Street and must be maintained.
- No outside storage on site (however the existing trailer on site can stay)
- Exterior improvements shall be completed within 45 days of occupancy.
- Site shall be neatly kept and clean of debris at all times.
- Planning Board review of site one year from approval.

Vote 7-0 to approve.

PUBLIC HEARINGS

Special Permit & Definitive Subdivision Plan - Fisher Road LLC, 20 lots, off Fisher Rd.

(continued from June 17)

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)

Action: Postponed to 8-19-08

Applicant's engineer had requested to postpone to August meeting.

Mr. Fontaine requested to have Brian Devellis attend next month's meeting to give an update, even if another extension is requested.

Special Permit - Small Wind Energy System to produce residential electric, Byrne, 0 Mt Vernon St.

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)

Action: Granted leave to withdraw

Mike O'Hara stated he had received a verbal request from Mr. Byrne earlier that day to Withdraw the application without prejudice. He will follow up with a written request. Two neighboring property owners had informed the Planning Office that a 30-year "View Easement" had been conveyed from Mr. Byrne to them, which prohibited the construction of any temporary or permanent structure the on the site in question.

Motion made & seconded to grant leave to withdraw.

Vote 7-0 in favor.

OTHER BUSINESS

Endorsement - "Oak Hill Heights" definitive plan , Mullane Construction

Plan had been approved 3-18-08. 20-day appeal period has run.

Motion made & seconded to endorse plan.

Vote 7-0 in favor. Board endorsed plan and covenant.

Board also voted to release all of any remaining Performance Bond for Mullane Construction's "Skyview Drive" subdivision. Road has been completed and has been accepted as a public way.

Endorsement - "Shattuck Estates" definitive plan, Tully

Plan had been approved by Board 5-20-08. 20-day appeal period had run.

Motion made & seconded to endorse plan.

Vote 7-0 in favor. Board endorsed plan. Subdivision covenant is waiting for Mayor's signature. Board authorized Dave Streb to sign covenant on their behalf.

Misc. Items:

Check out 323 Princeton Road -- multiple businesses being operated from site? Site needs erosion controls cleaned up.

Arden Mills - Water Street chain link fence still not repaired. Check -- it was to be done within ___ days of approval.

Look into incorporating 1-2 year reviews on agendas. Put on agendas a month before scheduled review. Look into standard condition of approval -- "Exterior improvements need to be done by ----"

Require standard zoning disclaimer on all "ANR" plans.

Motion made & seconded to Adjourn.

Meeting adjourned 7:50 p.m.

Next meeting: August 19, 2008

Approved August 19, 2008